

Written testimony submitted on behalf of BYOCT by Jeanine Behr Getz
February 26, 2023

To Chairmen Senator Lopes and Representative Gresko and Members of the Environment Committee:

While BYOCT supports the overall intentions of waste reduction in HB6664, as written, we cannot support it, in its entirety.

The millions of tons of CT MSW consume vast tracts of land, energy and water, and are unsustainable in our present times. Our citizens pay for these goods and then towns/cities and the state pay to then burn it, landfill it or export it.

CT must change this dynamic and our “waste management” practices to begin realizing a waste reduction, sustainable, circular, reusable, refillable economy and by strengthening HB6664 help CT curtail this unsustainable packaging waste stream and the unintended consequences of harmful disposal practices.

BYOCT respectfully asks that the following changes be considered to reduce waste, protect public health and to strengthen HB6664.

Start with:

Section 1 Line 721 (kk): Surrounding States (RI, MA & NY) are also working on EPR packaging bills, their bills are more in alignment with each other and perhaps CT should consider “opting in” to a regional collaborative.

1. RI EPR Packaging Bill H5091- <http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5091.pdf>
2. MA EPR Packaging Bill HD 3565 – <https://malegislature.gov/Bills/193/HD3565>
3. NY EPR Packaging Bill SB10164 - <https://www.nysenate.gov/legislation/bills/2023/S1064>

There are several important principles threaded in good EPR packaging bills, that may be worthy of consideration:

1. **Establish mandatory packaging reduction goals** either through elimination or by switching to reuse and refill systems.
2. **Establish mandatory elimination of toxics in packaging goals**
3. **Don't define “plastic burning” (aka “chemical or advanced” recycling) as recycling**
4. **Don't put the packaging industry in charge** ensure strong oversight, transparency, accountability and penalties for non-compliant and underperforming packaging producers.

Redefine:

1. Post-consumer recycled material, as it appears in Section 1 Line 50 (10) & Section 2 Line 771 (8), to:

"post-consumer recycled material" means new material produced using material resulting from the recovery, separation, collection and reprocessing of material that would otherwise be disposed of or processed as waste and that was originally sold for consumption. "post-consumer recycled material" does not include post-industrial material or pre-consumer material, or material generated by means of advanced recycling, chemical recycling, combustion, gasification, incineration, pyrolysis, solvolysis, thermal desorption, waste-to-energy, waste-to-fuel, or any other chemical or molecular conversion process.

2. Recycling, as it appears in Section 1 Line 76 (13), to:

"Recycling" means the series of activities by which material is: (i) Collected, transported, sorted, and processed; (ii) Used in industrial feedstocks in place of virgin materials to manufacture new products with minimal loss of material quality and quantity. "Recycling" does not include energy recovery or energy generation by any means, including, but not limited to, advanced recycling, chemical recycling, combustion, gasification, incineration, pyrolysis, solvolysis, thermal desorption, waste-to-energy, waste-to-fuel, or any other chemical or molecular conversion process. It also does not include landfill disposal of discarded material or discarded product component materials, including the use of materials as landfill cover.

3. Stewardship organization, as it appears in Section 1 Line 114 (18), to:

"Package reduction organization"

Include:

1. In Section 1:

"Toxic substance" means a chemical or chemical class identified by a state agency, federal agency, international intergovernmental agency, accredited research university, or other scientific entity deemed authoritative by the department on the basis of credible scientific evidence as being one or more of the following: (i) A chemical or chemical class that is a carcinogen, mutagen, reproductive toxicant, immunotoxin, neurotoxicant, or endocrine disruptor; (ii) A chemical or chemical class that is persistent or bio accumulative; (iii) A chemical or chemical class that may harm the normal development of a fetus or child or cause other developmental toxicity in humans or wildlife; (iv) A chemical or chemical class that may harm organs or cause other systemic toxicity; (v) A chemical or chemical class that may have adverse air quality impacts, adverse ecological impacts, adverse soil quality impacts, or adverse water quality impacts; or (vi) A chemical or chemical class that the department has determined has equivalent toxicity to the criteria listed in this definition.

2. In Section 1, Line 237 (18):

(O) A representative from an organization (for profit or not for profit) with expertise in building refillable/reusable business models & best practices standards

3. In Sections 1 & 2:

Identify current barriers to refillable/reusable business models, reduce or eliminate said barriers and include attainable numeric refillable /reusable packaging goals for producers.

Delete: Section 1, Lines 595-603 (u)

This type of nondisclosure language has been protecting companies for years from divulging important health information to the consumer.

“fragrance” is the most common example of this type of “confidential trade secret information” law in place protecting companies but hurting human health. The average fragrance product tested contains 14 secret chemicals not listed on the label. Among them are chemicals associated with hormone disruption and allergic reactions, and many substances that have not been assessed for safety in personal care products. This complex mix of clandestine compounds in popular colognes and perfumes makes it impossible for consumers to make informed decisions about the products they consider buying. The same would fall true under HB6664, as written.

EPR packaging bills can be an effective tool for reducing the environmental impact of packaging waste, they may not be sufficient for addressing the challenges associated with non-recyclable single-use plastics, so we encourage Legislators to continue all non-recyclable single use plastic waste reduction legislation efforts and continue to encourage/incentivize producers and small businesses to transition to more sustainable materials and refillable/reusable business models.

Thank you for your consideration and commitment to our State.



BYOCT is a grass roots coalition of 20+ Connecticut communities working together to address the economic, social justice, human health and environmental threats posed to our residents and our natural assets by disposable plastic waste and unsustainable waste streams.

Our mission is to:

Stop non-recyclable single use disposable plastic waste before it starts

Educate and encourage CT residents to BYO - Bring Your Own

Preserve and protect CT natural assets

Reduce additional waste streams and waste management costs for our municipalities

Advocate for those unheard and for a reusable/refillable new economy for CT
